

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

JANNETT ANDERSON and LEVI ANDERSON

PLAINTIFFS

v.

CIVIL ACTION NO. 3:13cv171-CWR-FKB

WYETH LLC, ET AL.

DEFENDANTS

ORDER OF DISMISSAL

This cause comes on this date on the *sua sponte* motion of the Court to dismiss this cause of action because of Plaintiffs' failure to prosecute their claims. *Natural Gas Pipeline Co. v. Energy Gathering, Inc.*, 2 F.3d 1397, 1407 (5th Cir. 1993) (citing *Link v. Wabash R.R. Co.*, 370 U.S. 626 (1962) (a district court has inherent power to dismiss a case *sua sponte* for failure to prosecute despite language of Fed. R. Civ. P. 41(b) requiring a motion by defendants)). Plaintiffs failed to notify the Court of new counsel or their intent to proceed *pro se* by the Court-imposed deadline of July 15, 2013. *See* Order at Docket No. 97. Plaintiffs were served with a copy of the Order at Docket No. 97 by certified mail. *See* Docket No. 98. Plaintiffs also failed to respond to an Order to Show Cause entered by this Court on August 27, 2013, and which required a response by September 20, 2013. *See* Order at Docket No. 99. By failing to respond to these Orders, Plaintiffs have failed to prosecute this case. For these reasons, Plaintiffs' claims are hereby dismissed without prejudice for failure to prosecute. Fed. R. Civ. P. 41(b).

SO ORDERED, this the 9th day of October, 2013

s/Carlton W. Reeves
UNITED STATES DISTRICT JUDGE